

**ZONING COMMITTEE
MINUTES
WEDNESDAY, JULY 15, 2009**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, July 15, 2009** in Committee Room #2, at 11:10 a.m.

The following members were present:

**The Honorable Ivory Lee Young, Jr., Chair
The Honorable C. T. Martin
The Honorable Carla Smith
The Honorable Anne Fauver
The Honorable Howard Shook
The Honorable Mary Norwood**

The following member was absent:

The Honorable Natalyn Archibong, Vice Chair

Others present at the meeting were: Principal Planner Brandy Crawford, Department of Planning and Community Development; City Attorney Jeffery Heymore, Law Department; and members of the Public and Council staff.

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF MINUTES - APPROVED

CONSENT AGENDA

C. ORDINANCES FOR FIRST READING

09-O-1304 (1) An Ordinance by Zoning Committee granting a Special Use Permit
U-09-11 under the provisions of Section 16-11.005 (l)(l) for an Outdoor
Dining at Eating and Drinking Establishment, property located at
4629 Wieuca Road, NE, fronting approximately 200 feet on the
northeast side of Wieuca Road, beginning approximately 183.13
feet from the northeast corner of Wieuca Road and Roswell Road.

Depth:	Approximately 228 Feet
Area:	Approximately 1.03 Acres
Land Lot:	95, 17 th District, Fulton County, Georgia
Owner:	Jim Kil Yeom
Applicant:	Richard W. Seaman
NPU-B	Council District 7

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING
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C. ORDINANCES FOR FIRST READING (CONT'D)

09-O-1305 (2)
U-09-12 An Ordinance by Zoning Committee granting a Special Use Permit under the provisions of Section 16-06.005 (l)(b) for a Day Care Center, property located at 1635-1639 Campbellton Road, SW, fronting approximately 186 feet on the north side of Campbellton Road, beginning approximately 50 feet from the northeast corner of Campbellton Road and Ridgewood Lane.

Depth: Varies
Area: Approximately 0.942 Acre
Land Lot: 153, 14th District, Fulton County, Georgia
Owner: Brad Houtkin
Applicant: Rasheda Ali
NPU-S Council District 12

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

09-O-1306 (3) An Ordinance by Zoning Committee granting a Special Use Permit
U-09-13 under the provisions of Section 16-07.005 (l)(b) for a Day Care
Center, property located at **645 Grant Street, SE**, fronting
approximately 95 feet from the north side of Georgia Avenue and
approximately 140 feet on the west side of Grant Street.

Depth: Varies
Area: Approximately 0.305 Acre
Land Lot: 43, 14th District, Fulton County, Georgia
Owner: Presbytery of Greater Atlanta
Applicant: Jennifer J. Subarevic
NPU-W Council District 1

FAVORABLE - TO BE REFERRED TO ZRB AND ZONING COMMITTEE

D. ORDINANCE FOR SECOND READING

09-O-0207 (1) An Amended Ordinance by Zoning Committee granting a Special
U-09-02 Use Permit for a Personal Care Home (Section 16-06 B.005 (1) (g)
 for property located at 985 Smith Street, SW, fronting
 approximately 50 feet on the west side of Smith Street at the
 southwest intersection of Arthur Street and Smith Street.
(Referred back by Council 07/06/09)

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D. ORDINANCE FOR SECOND READING (CONT'D)

Depth: 103 Feet
Area: Approximately 0.12 Acre
Land Lot: 87, 14th District, Fulton County, Georgia
Owner: Ezekiel Construction
Applicant: Charles Serge
NPU-V Council District 4

FAVORABLE AS AMENDED

E. PAPERS HELD IN COMMITTEE

06-O-0273 (1) An Ordinance by Councilmembers Carla Smith, Ivory Lee Young, Jr. and Cleta Winslow correcting Ordinance Number 04-O-0179/Z-04-24 which amended Section 16-29.001(16) "Human Services" including Personal Care Homes, Rehabilitation Centers and Nursing Homes by clarifying and/or redefining certain terms; and for other purposes. **(Held 2/1/06 for further review)**

HELD

06-O-0007 (2) An Ordinance by Councilmember Carla Smith
Z-05-65 as amended by Zoning Committee to rezone the portion of the property located at **1821 W. Anderson Avenue** that is zoned R-4 (Single Family Residential) to the O-I (Office Institutional) Classification, to issue a Special Use Permit for the subject property; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

HELD

06-O-0022 (3) An Ordinance by Councilmember Carla Smith
U-05-22 to issue a Special Use Permit for a Nursing Home at **1821 W. Anderson Avenue (a.k.a. 31 Anderson Avenue)**; to waive the 2,000 foot distance requirement for this location; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

HELD

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E. PAPERS HELD IN COMMITTEE (CONT'D)

06-O-0955 (4)
Z-06-44

A Substitute Ordinance by Zoning Committee to rezone from the I-1-C (Light Industrial-Conditional) District to the MR5-A (Multi-Family Residential) District, property located at 1155 Hill Street, SE, fronting approximately 350 feet on the west side of Hill Street and approximately 272 feet on the north side of Englewood Avenue. (Held 11/1/06 at the request of District Council Person)

Depth: Varies
Area: Approximately 8.719 Acres
Land Lot: 55, 14th District, Fulton County, Georgia
Owner: Jack and Harvey Taffel
Applicant: Chaz E. Waters/Skyline Partners, LLC.

NPU-Y Council District 1

HELD

06-O-1927 (5) An Ordinance by Councilmembers Howard Shook, H. Lamar Willis, Jim Maddox and Ceasar C. Mitchell **as substituted by Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, As Amended, so as to create a New Chapter to be entitled, 8B, Fulton County Townhouse Residential; to establish design guidelines for said District; to enact, by reference and incorporation, a Map establishing the boundaries of said District for the Cascade Glenn; to amend the City of Atlanta Zoning Maps; to modify the zoning process for annexations; and for other purposes. **(Forwarded with no recommendation by Zoning Committee 9/13/06) (Referred back by Council 12/04/06) (Held 12/13/06 for further review)**

HELD

06-O-1445 (6)
Z-06-74

An Ordinance by Zoning Committee to rezone from the R-G-3 (Residential General-Sector 3) District to the PD-MU (Planned Development-Mixed Use) District, property located at **3700 Martin Luther King, Jr. Drive, SW**, fronting approximately 474.25 feet on the south side of Martin Luther King, Jr. Drive beginning approximately 183 feet from the southwest corner of Adamsville Drive. **(Held 5/2/07 at the request of Councilmember of the District)**

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E. PAPERS HELD IN COMMITTEE (CONT'D)

Depth: Varies
Area: Approximately 27 Acres
Land Lot: 15, 14th District, Fulton County, Georgia
Owner: Atlanta Neighborhood Development Partnership
Applicant: Marvin Greer
NPU-H **Council District 10**

HELD

06-O-1888 (7)
CDP-06-65 An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta's 2004-2019 Comprehensive Development Plan (CDP) so as to re-designate property located at **3700 Martin Luther King, Jr. Drive, SW**, from the "Medium Density Residential" Land Use Designation to the "Mixed-Use" Land Use Designation; and for other purposes. **(Public Hearing held 9/11/06) (Filed by CD/HR Committee 11/27/07) (Held 5/2/07 at the request of Councilmember of the District)**
NPU-H **Council District 1**

HELD

07-O-2594 (8) An Ordinance by Councilmember Kwanza Hall requesting that Chapter 28A.010 of the Code Ordinances, the Sign Ordinance, Subsection (12) Special Public Interest District 1 (Central Core) District of the City of Atlanta Zoning Ordinance be waived to allow for the construction of two (2) Signs at 100 Auburn Avenue, NE; and for other purposes. **(Held 12/12/07)**

HELD

06-O-2697 (9)
Z-06-144 An Ordinance by Councilmember Carla Smith to amend Chapter 28 of Part 16 of the Atlanta City Land Development Code to provide for density increases in exchange for affordable workforce housing; to define certain terms; to provide limitations and requirements; and for other purposes. **(Held 1/30/08)**

HELD

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E. PAPERS HELD IN COMMITTEE (CONT'D)

07-O-2527 (10)
Z-07-113

A Substitute Ordinance as amended by Zoning Committee to rezone from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, property located at **430 and 460 Englewood Avenue, SE**, fronting approximately 678 feet on the north side of Englewood Avenue beginning approximately 132 feet from the northeast corner of Mailing Avenue. **(Held 4/29/09)**

Depth: Approximately 1,010 Feet
Area: Approximately 10.32 Acres
Land Lot: 42, 14th District, Fulton County, Georgia
Owner: JWGST LLC/Joseph Wiles
Applicant: Jason Fritz

NPU-Y **Council District 1**

HELD

08-O-2125 (11)
Z-08-73

A **Substitute** Ordinance by Zoning Committee to rezone from the R-4 (Single Family Residential) and NC-2 (Neighborhood Commercial) Districts to the NC-2 (Neighborhood Commercial) District, property located at **1146 Portland Street, SE, 1152 Portland Street, SE, 1131 Glenwood Avenue, SE, 1137 Glenwood Avenue, SE 525/527 Moreland Avenue, SE, 529 Moreland Avenue, SE, 535 Moreland Avenue, SE and 537 Moreland Avenue, SE** fronting approximately 250 feet on the north side of Portland Avenue, approximately 300 feet on the west side of Moreland Avenue and approximately 250 feet on the south side of Glenwood Avenue. **(Held 5/27/09)**

Depth: Varies
Area: Approximately 1.75 Acres
Land Lot: 12, 14th District, Fulton County, Georgia
Owner: George Rohrig
Applicant: Joseph Alcock

NPU-W Council District 1

HELD

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E. PAPERS HELD IN COMMITTEE (CONT'D)

09-O-0843 (12) An **Amended** Ordinance by Zoning Committee to rezone
Z-09-16 from the R-4 (Single Family Residential) District to the RG-2
 (Residential General-Sector 2) District, property located at
 230 Westview Place, SW, fronting approximately 99.9 feet
 on the east side of Westview Place beginning 196.5 feet from
 the southwest corner of Mims Street and Westview Place.

(Held 7/01/09)

Depth: Varies

Area: Approximately 3.7 Acres

Land Lot: 141, 14th District, Fulton County, Georgia

Owner: Berean Community Development Corporation

Applicant: Berean Community Development Corporation

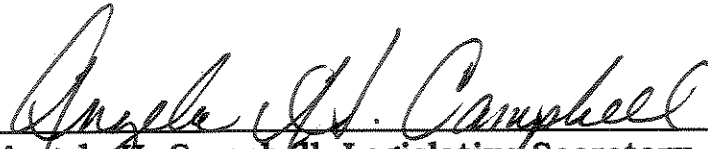
NPU-K

Council District 4

FAVORABLE AS AMENDED

There being no further business to come before the Zoning Committee the meeting was adjourned at 11:23 a.m.


Respectfully submitted:



Angelachi Campbell, Legislative Secretary



Alfred Berry, Jr., Research & Policy Analyst



The Honorable Ivory L. Young, Jr., Chair